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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,628	04/09/2004	Helmut Harter	12484/3

00757
 BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, IL 60610



CONFIRMATION NO. 8931
 FORMALITIES LETTER



OC000000013083538

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration Surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents

08/06/2004 BABRAHA1 00000026 10821628

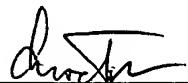
P.O. Box 1450

01 FC:1001
 02 FC:1051

770.00 US
 130.00 US

Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: August 3, 2004 Name: John C. Freeman Signature: *John C. Freeman*

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln of: Helmut Harrer

U.S. Patent Application Serial
No.: 10/821,628

Art Unit: 2855

U.S. Filing
Date: April 9, 2004

For: POSITION MEASURING SYSTEM

Examiner: unassigned

Attorney Docket No: 12484/3

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

Copy of Notice To File Missing Parts Of Nonprovisional Application Filed Under 37 CFR 1.53(b) Filing Date Granted; Declaration and Power of Attorney For Patent Application; Assignment Cover Sheet; Assignment (true copy); and certified copy of German Pat. Appln. No. 103 16 870.2, filed 04-11-03.

Return Receipt Postcard

Fee calculation:

No additional fee is required.

Small Entity.

An extension fee in an amount of \$ _____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).

A petition or processing fee in an amount of \$ _____ under 37 C.F.R. § 1.17(_____.)

An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
					Rate	Add'l Fee	or	Rate
Total		Minus			x \$9=			x \$18=
Indep.		Minus			x 43=			x \$86=
First Presentation of Multiple Dep. Claim					+\$145=		+\$290=	
					Total	\$	Total	

Fee payment:

A check in the amount of \$900.00 to cover the filing fee of \$770.00 and surcharge of \$130.00 is enclosed.

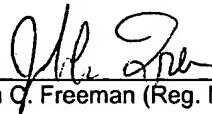
A check in the amount of \$40.00 to cover the Assignment Recordal filing fee is enclosed.

Please charge Deposit Account No. 23-1925 in the amount of \$ _____. A copy of this Transmittal is enclosed for this purpose.

Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

August 3, 2004
August 3, 2004

Respectfully submitted,


John Q. Freeman (Reg. No. 34,483)